

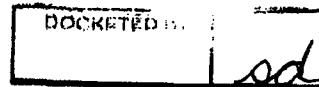


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BEFORE THE ARIZONA CORPORATION COMMISSION

DOCKETED

JAN 10 2000



CARL J. KUNASEK

Chairman

JIM IRVIN

Commissioner

WILLIAM A. MUNDELL

Commissioner

IN THE MATTER OF THE APPLICATION)
OF GTE CALIFORNIA INCORPORATED)
FOR APPROVAL OF THE)
INTERCONNECTION AGREEMENT)
WITH SPRINT SPECTRUM L.P.)

DOCKET NO. T-01846B-99-0656

DECISION NO. 62201

ORDER

Open Meeting
January 5 and 6, 2000
Phoenix, Arizona

BY THE COMMISSION:

FINDINGS OF FACT

1. On November 12, 1999, GTE California Incorporated (GTE) filed an application for approval of an Interconnection Agreement between GTE and Sprint Spectrum L.P. (Sprint). The term of the Agreement begins upon Commission approval and will terminate on July 30, 2000. Renegotiations for a contract extension must take place between the parties no later than 90 days prior to expiration of the present Agreement. The Agreement governs the terms and conditions under which GTE will offer interconnection to Sprint.

2. The Telecommunications Act of 1996 (1996 Act) directed incumbent local exchange carriers to make their networks available for interconnection and resale by new entrants to the local exchange market. The 1996 Act provides for interconnection and resale agreements to be concluded by voluntary negotiation.

3. This Interconnection Agreement between GTE and Sprint was voluntarily negotiated, without resort to arbitration.

4. Under the terms of the Agreement, GTE will provide for the interconnection of its facilities with those of Sprint.

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1 5. According to the 1996 Act and State Rule, the Commission must approve voluntarily
2 negotiated interconnection and resale agreements if their provisions are non-discriminatory and in
3 the public interest. GTE has asserted that the provisions of the GTE/Sprint Agreement are non-
4 discriminatory and in the public interest.

5 6. Staff has reviewed the Agreement and finds it to be non-discriminatory and in the
6 public interest. GTE is offering the same terms and conditions of the Agreement to all other
7 interested parties. The Agreement is in the public interest because it will act to further competition
8 in the local exchange market in Arizona.

9 7. Since there are no grounds for rejection of the Agreement pursuant to Section
10 252(e)(2)(A) of the 1996 Act, Staff has recommended that the Commission approve the
11 Interconnection Agreement between GTE and Sprint.

12 CONCLUSIONS OF LAW

13 1. GTE is an Arizona public service corporation within the meaning of Article XV,
14 Section 2, of the Arizona Constitution.

15 2. The Commission has jurisdiction over Sprint and over the subject matter of the
16 application.

17 3. The Commission, having reviewed the Application and Staff's Memorandum has
18 determined that the Interconnection Agreement negotiated between GTE and Sprint meets the
19 requirements of section 252(e)(2)(A) of the 1996 Act which governs the approval of voluntarily-
20 negotiated Agreements and is in the public interest.

21 4. The Commission maintains jurisdiction over the subject matter of the Agreement and
22 Amendments thereof, to the extent permitted pursuant to the powers granted the Commission by the
23 Arizona Constitution, Statutes, Commission Rule, and the 1996 Act and the Rules promulgated
24 thereunder.

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ORDER

THEREFORE, IT IS ORDERED that the Commission hereby approves the Interconnection Agreement between GTE and Sprint filed on November 12, 1999.

IT IS FURTHER ORDERED that this Decision shall become effective immediately.

BY ORDER OF THE ARIZONA CORPORATION COMMISSION
CHAIRMAN
COMMISSIONER
COMMISSIONER

IN WITNESS WHEREOF, I, BRIAN C. McNEIL, Executive Secretary of the Arizona Corporation Commission, have hereunto, set my hand and caused the official seal of this Commission to be affixed at the Capitol, in the City of Phoenix, this 10th day of January 2000.


BRIAN C. McNEIL
Executive Secretary

DISSENT: _____

DRS:KDM:sjs\RJM